

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JAMES CROWE,

Plaintiff,

v.

BRISTOL-MYERS SQUIBB COMPANY, et al.,

Defendants.

Civil Action No. 11-6551 (FLW)

ORDER

THIS MATTER having been opened to the Court upon the Magistrate Judge's Report and Recommendation dated October 15, 2012; it appearing that the Report and Recommendation was sent to Plaintiff James Crowe ("Plaintiff) via certified mail and filed electronically; it appearing that the Magistrate Judge's Recommendation was undeliverable via mail, and Plaintiff has not updated his contact information; it appearing that no other parties have objected to the Magistrate Judge's findings; it appearing that the Magistrate Judge recommends that this case be dismissed without prejudice based upon Plaintiff's failure to prosecute pursuant to Poulis v. State Farm Casualty Co., 747 F.2d 863 (3d Cir. 1984); it appearing that the Magistrate Judge reasons that under the Poulis factors, Plaintiff is solely responsible for his failure to comply with court orders and to prosecute his case, and that he has a history of dilatoriness; that Plaintiff's failure has significantly prejudiced Defendants; and that Plaintiff's conduct is willful; it further appearing that Plaintiff further complicated his lack of prosecution by failing to update his address in violation of L. Civ. R. 10.1, and indeed, this reason alone warrants a dismissal of his case; it appearing that having reviewed the circumstances underlying the Magistrate Judge's findings, it is the Opinion of this Court that the Report makes the appropriate recommendations and therefore, for the reasons stated herein and for

good cause shown,

IT IS on this 7th day of November, 2012,

ORDERED that the Report and Recommendation of the Magistrate Judge is hereby adopted;
and it is further

ORDERED that this case is dismissed without prejudice.

/s/ Freda L. Wolfson
The Honorable Freda L. Wolfson,
United States District Judge